

HONORABLE RICHARD A. JONES

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICROSOFT CORPORATION,

Plaintiff,

vs.

BARNES & NOBLE, INC., et. al ,

Defendants.

Case No. 2:11-cv-00485 RAJ

(PROPOSED) ORDER GRANTING
JOINT MOTION OF MICROSOFT,
BARNES & NOBLE, AND
BARNESANDNOBLE.COM TO (A)
LIFT STAY AND (B) DISMISS WITH
PREJUDICE ALL CLAIMS OF
MICROSOFT AGAINST BARNES &
NOBLE AND
BARNESANDNOBLE.COM AND THE
DEFENSES AND COUNTERCLAIMS
OF BARNES & NOBLE AND
BARNESANDNOBLE.COM

NOTED FOR: FRIDAY, JUNE 1, 2012

This matter came before the Court on a joint motion filed by Plaintiff Microsoft Corporation and Defendants Barnes & Noble, Inc. and barnesandnoble.com, LLC (the “Barnes & Noble Defendants”) to lift the stay in this Action and to dismiss, with prejudice and pursuant to Fed. R. Civ. P. 41(a)(2), Microsoft’s claims against the Barnes & Noble Defendants and the Barnes & Noble Defendants’ defenses and counterclaims against Microsoft.

The Court has considered the pleadings filed in support and in response to the joint motion, if any, and therefore deems itself fully advised. Based on the documents submitted:
(PROPOSED) ORDER GRANTING JOINT
MOTION OF MICROSOFT, BARNES & NOBLE,
AND BARNESANDNOBLE.COM TO (A) LIFT
STAY AND (B) DISMISS WITH PREJUDICE
ALL REMAINING CLAIMS, DEFENSES, AND
COUNTERCLAIMS - 1

1 IT IS HEREBY ORDERED that Microsoft and the Barnes & Noble Defendants'
2 Motion is GRANTED. The stay in this Action is lifted. Microsoft's claims against the Barnes
3 & Noble Defendants and the Barnes & Noble Defendants' defenses and counterclaims are
4 dismissed with prejudice. The parties shall bear their own attorneys' fees and costs in
5 connection with this Action.

6 DATED this ____ day of _____, 2012.

7
8 _____
HONORABLE RICHARD A. JONES

9 Presented by:

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(PROPOSED) ORDER GRANTING JOINT
MOTION OF MICROSOFT, BARNES & NOBLE,
AND BARNESANDNOBLE.COM TO (A) LIFT
STAY AND (B) DISMISS WITH PREJUDICE
ALL REMAINING CLAIMS, DEFENSES, AND
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**Attorneys for Defendants
Barnes & Noble, Inc. and
barnesandnoble.com LLC**

CERTIFICATE OF SERVICE

I, Susie Clifford, swear under penalty of perjury under the laws of the State of Washington to the following:

1. I am over the age of 21 and not a party to this action.

2. On the 1st day of June, 2012, I caused the preceding document to be served on counsel of record in the following manner:

**Counsel for Defendants Barnes & Noble, Inc.
and barnesandnoble.com LLC**

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s/Susie Clifford
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